GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:640
ANSWERED ON:02.03.2007
APPOINTMENT OF CHAIRPERSON OF TH LAW COMMISSION
Barad Shri Jashubhai Dhanabhai

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the terms of reference of 18th Law Commission;

(b) whether the 18th Law Commission remains without a chairperson and permanent members as reported in the Hindustan Times dated January 13,2007;

(c) if so, the details afongwith the reasons therefor; and

(d) the action taken/being taken by the Government to appoint the chairperson and permanent members of the Commission?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K.VENKATAPATHY)

(a): A statement is laid on the table of the House.

(b),(c)&(d): A Member Secretary is already in position in the 18th Law Commission. Necessary steps for the appointment of Chairperson and Members of the 18th Law Commission are being taken.

Statement referred to with regard to part (a) of the LoK Sabha Unstarred Question No.640 for answer on 02.03.2007.
The terms of reference of 18th Law Commission are:

A. Review/Repeal of obsolete laws:

(i) To identify laws which are no longer needed or relevant and can be immediately repealed.

(ii) TO identify laws which are in harmony with the existing climate cf economic liberalization which need no change.

(iii) To identify laws which require changes or amendments and to make suggestions for their amendment.

(iv) To consider in a wider. perspective the suggestions for revision/amendment given by Expert Groups in various Ministries/Departments with a view to coordinating and harmonizing them.

(v) To consider references made to it by Ministries/Departments in respect of legislation having bearing on the working of more than one Ministry/Department.

(vi) To suggest suitable measures for quick redressal of citizens grievances,in the field of law.
B.Law and Poverty

(i) To examine the Law which affect the poor and carry out post-audit for socio-economic legislation.

(ii) To take all such measures as may be necessary to harness law and the legal process in the service of the poor.

C. To keep under review the system of judicial administration to ensure that it is responsive to the reasonable demands of the times and in particular to secure

(i) nomination of delays, speedy clearance of arrears and reduction in costs so as to secure quick and economical disposal of cases without affecting the cardinal principle that decisions should be just and fair.

(ii) Simplification- of procedure to reduce and eliminate technicalities and devices for delay so that it operates not as an end in itself but as a means of achieving justice.

(iii) Improvement of standards of ail concerned with the administration of justice.

D. To examine the existing laws in the fight of Directive Principles of State Policy and to suggest ways of improvement and reform and

also to suggest such legislation as might be necessary to implement the Directive Principles and to attain the objective set out in the Preamble to the Constitution.

E. To examine the existing laws with a view to promoting gender equality and suggesting amendments thereto.

F. To revise the Central Acts of General Importance so as to simplify them and to remove anomalies, ambiguities and inequities.

G. To recommend to the Government measure for bringing the statute book up-to-date by repealing obsolete laws and enactments o.r parts thereof which have outlived their utility.

H. To consider and to convey to the Government its views on any subject relating to law and judicial administration that may be referred to it by the Government through Ministry of Law and Justice (Department of Legal Affairs).

I. To consider the requests for providing research to any foreign countries as may be referred to it by the Government through Ministry of Law & Justice (Department of Legal Affairs).

The Commission shall devote its time bound attention to a\\ issues relating to item (A) of the terms of reference as indicated above, viz., review/repeal of obsolete laws and shall make its recommendations to Government for repeal of obsolete laws and for appropriate amendments in others as may be found necessary ON TOP PRIORITY basis.

The Commission shall submit its re_ports in Hindi and English with sufficient number of copies for being p\ace6 on Tables of both houses of Parliament. The Law Commission shall also make its reports available through website or otherwise as soon as reports are submitted to the Government.

Various Law Commissions have given about 200 Reports so far. Many of them are made available on the website of Law.Commission. Since many of the Reports are voluminous ft w$ be difficult for researchers to read entire Report online. To facilitate the researchers to choose the topics of their area anci to create awareness amongst Judges, Lawyers, Law Teachers and Students on the various recommendations of the Law Commission, a brief summary of all the Reports of the Law Commission shall be made available by the Law Commission, online.